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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 JAMES ALLEN KINNEY,) CASE NO.: C08-0489-RAJ-MAT
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11 Petitioner,))
12))
13 v.) ORDER GRANTING
14 JEFFREY A. UTTECHT,) RESPONDENT'S MOTION FOR
15) EXTENSION OF TIME TO FILE
16 Respondent.) ANSWER TO PETITION
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14 Respondent has filed a motion for extension of time to file an answer to petitioner's
15 petition for a writ of habeas corpus. (Dkt. No. 16). Having reviewed the motion, and the balance
16 of the record, the Court does hereby find and ORDER as follows:

17 (1) Respondent cites a delay in obtaining the state court record as the reason for
18 seeking an extension of time. Because this reason is sound, and petitioner should not suffer any
19 prejudice as a result of the extension, respondent's motion (Dkt. No. 16) is GRANTED.
20 Respondent shall file an answer to the petition no later than **July 24, 2008**.

21 (2) Petitioner has written the Court a letter inquiring about various procedural issues.
22 (Dkt. No. 17). One of the questions he asks is when he will "appear" before the Court. (*Id.*)

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01 Petitioner is advised that unless an evidentiary hearing is ordered, he will not physically appear
02 before the Court. Petitioner is further advised that he must always send counsel for respondent
03 a copy of every document that he files with the Court, and he must attach proof of such service
04 to each filing. *See Local Rule CR 5(f).* If he fails to do so, the Court will strike such filings in the
05 future and will not consider them.

06 (3) The Clerk shall forward a copy of this Order to petitioner, to counsel for
07 respondent, and to the Honorable Richard A. Jones.

08 DATED this 4th day of June, 2008.

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11 Mary Alice Theiler
12 United States Magistrate Judge
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